

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SimpleAir, Inc., a Texas corporation,

Plaintiff,

vs.

Microsoft Corporation, et al.

Defendants.

CASE NO. 2:11-cv-416 JRG

JURY DEMANDED

**JOINT MOTION TO DISMISS WITHOUT PREJUDICE CLAIMS AND
COUNTERCLAIMS BETWEEN SIMPLEAIR AND SAMSUNG**

Plaintiff SimpleAir, Inc. (“SimpleAir”) and Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”) respectfully move the Court to dismiss without prejudice (1) SimpleAir’s claims against Samsung and (2) Samsung’s counterclaims against SimpleAir in the above-captioned case. The parties further move that each party shall bear its own costs, expenses, and attorneys’ fees.

Date: August 19, 2013

Respectfully submitted,

By: /s/ Simon Franzini

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AMERICA, INC. and SAMSUNG
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CERTIFICATE OF SERVICE

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 19th day of August 2013, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Simon Franzini
Simon Franzini